

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In re:

The Diocese of Rochester,

Chapter 11

Case No. 19-20905 (PRW)

Debtor.

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**NOTICE OF FILING**

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**PLEASE TAKE NOTICE** that, in accordance with the *Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 318] and the *Supplement and Modification to Administrative Order Establishing Procedures for Interim Compensation and Reimbursement of Expenses for Professionals and Members of Official Committees* [Docket No. 545], Burns Bair LLP has filed the *Monthly Fee Statement of Burns Bair LLP for Compensation for Services Rendered and Reimbursement of Expenses as Special Insurance Counsel to the Official Committee of Unsecured Creditors of the Diocese of Rochester for the Period June 1, 2023 through June 30, 2023*, a copy of which is attached hereto and hereby served upon you. In addition, Burns Bair LLP has provided the United States Trustee with a copy of its invoice in text format.

Dated: July 20, 2023

**BURNS BAIR LLP**

/s/ Timothy W. Burns

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Timothy W. Burns (admitted *pro hac vice*)  
Jesse J. Bair (admitted *pro hac vice*)  
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*Special Insurance Counsel to the Official Committee  
of Unsecured Creditors of the Diocese of Rochester*

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NEW YORK

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In re:

The Diocese of Rochester,  
Debtor.

Case No. 19-20905

Chapter 11

**MONTHLY FEE STATEMENT OF BURNS BAIR LLP FOR COMPENSATION FOR  
SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES AS SPECIAL  
INSURANCE COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF THE DIOCESE OF ROCHESTER FOR THE PERIOD  
JUNE 1, 2023 THROUGH JUNE 30, 2023**

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Name of Applicant:	<u>Burns Bair LLP</u>
Authorized to Provide Professional Services to:	<u>Official Committee of Unsecured Creditors of the Diocese of Rochester</u>
Date of Retention:	<u>Effective May 26, 2021 pursuant to Order entered June 22, 2021 [Docket No. 1113]</u>
Period for which compensation and reimbursement is sought:	<u>June 1, 2023 through June 30, 2023</u>
Amount of compensation sought as actual, reasonable, and necessary:	<u>80% of \$46,147.50 (\$36,918.00)</u>
Amount of expense reimbursement sought as actual, reasonable, and necessary:	<u>\$2,352.68</u>

This is a: X monthly    quarterly    final application.

This is Burns Bair LLP's twenty-fifth monthly fee statement in this case.

# Burns | Bair

10 E. Doty St., Suite 600  
Madison, Wisconsin 53703-3392  
608-286-2302  
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Official Committee of Unsecured Creditors of  
The Diocese of Rochester, New York

Issue Date : 7/20/2023  
Bill # : 01187

**Matter:** Insurance

## PROFESSIONAL SERVICES RENDERED

<u>Date</u>	<u>Timekeeper</u>	<u>Narrative</u>	<u>Hours</u>	<u>Amount</u>
6/1/2023	Jesse Bair	Correspondence with I. Nasatir re First State counter (.1);	0.10	\$62.50
6/5/2023	Jesse Bair	Correspondence with B. Michael re Interstate mediation (.1);	0.10	\$62.50
6/6/2023	Jesse Bair	Correspondence with I. Nasatir re response to latest First State offer (.1);	0.10	\$62.50
6/7/2023	Timothy Burns	Reviewed and responded to correspondence re First State settlement negotiations (.2); reviewed correspondence from I. Scharf re mediation updates (.1);	0.30	\$210.00
6/7/2023	Jesse Bair	Review I. Scharf correspondence re case updates and status (.1);	0.10	\$62.50
6/7/2023	Jesse Bair	Review additional correspondence with I. Nasatir and T. Burns re potential First State counter (.1);	0.10	\$62.50
6/11/2023	Jesse Bair	Draft revised insurance overview summary for use during upcoming mediation with Interstate (.6); correspondence with T. Burns re same (.1);	0.70	\$437.50
6/12/2023	Timothy Burns	Review Interstate summary sheet for mediation (.2); review I. Scharf correspondence re Interstate negotiations (.1); correspondence with J. Bair re same (.1); prepare for state court counsel meeting (.1); participate in state court counsel meeting for insurance purposes re upcoming Interstate mediation (.4); participate in post-call meeting with J. Bair re Interstate mediation strategy (.2);	1.10	\$770.00
6/12/2023	Jesse Bair	Review I. Scharf correspondence re Interstate negotiations and strategy (.1);	0.10	\$62.50
6/12/2023	Jesse Bair	Prepare for state court counsel meeting re strategy for upcoming Interstate mediation (.1); participate in state court counsel meeting re same (.4); participate in post-meeting conference with T. Burns re Interstate negotiations strategy (.2);	0.70	\$437.50

6/13/2023	Timothy Burns	Travel from Madison to New York City for Interstate mediation [billed at 1/2 travel rate] (7.0);	7.00	\$2,450.00
6/13/2023	Jesse Bair	Review correspondence with I. Scharf and state court counsel re Interstate counter (.1);	0.10	\$62.50
6/14/2023	Timothy Burns	Prepare for Committee meeting re upcoming Interstate mediation (.5); participate in call with J. Bair re same (.1); review I. Scharf correspondence re same (.1); participate in Committee meeting re same (.4);	1.10	\$770.00
6/14/2023	Jesse Bair	Participate in call with T. Burns re Interstate mediation strategy (.1);	0.10	\$62.50
6/14/2023	Jesse Bair	Prepare for Committee meeting re Interstate mediation (.1); participate in Committee meeting for insurance purposes re same (.4);	0.50	\$312.50
6/15/2023	Timothy Burns	Participate in portion of full-day Interstate mediation session (7.6);	7.60	\$5,320.00
6/15/2023	Timothy Burns	Return travel from New York City to Madison from mediation [billed at 1/2 travel rate] (6.2);	6.20	\$2,170.00
6/15/2023	Jesse Bair	Prepare for mediation (.1); participate in portion of full-day Interstate mediation session (7.4);	7.50	\$4,687.50
6/15/2023	Jesse Bair	Analyze mediators' proposal re Interstate (.1);	0.10	\$62.50
6/16/2023	Timothy Burns	Participate in call with state court counsel re mediation outcome and mediator's proposal (.4); participate in conference with J. Bair re same (.1); participate in call with I. Scharf re CNA strategy (.5); met with J. Bair re CNA litigation and settlement strategy (1.1);	2.10	\$1,470.00
6/16/2023	Jesse Bair	Participate in conference with T. Burns re the mediators' proposal (.1);	0.10	\$62.50
6/16/2023	Jesse Bair	Correspondence with I. Nasatir re response to First State's most recent counter (.1);	0.10	\$62.50
6/16/2023	Jesse Bair	Participate in conference with T. Burns re CNA litigation and settlement strategy (1.1);	1.10	\$687.50
6/16/2023	Jesse Bair	Review I. Scharf correspondence re the mediators' proposal (.1);	0.10	\$62.50
6/19/2023	Jesse Bair	Analysis re Interstate coverage defenses in advance of Committee meeting (.3); correspondence with T. Burns re same (.1);	0.40	\$250.00
6/19/2023	Jesse Bair	Prepare for Committee meeting (.2); participate in Committee meeting for insurance purposes re the mediators' proposal and potential settlement with Interstate (1.0);	1.20	\$750.00
6/19/2023	Timothy Burns	Reviewed and considered correspondence re First State settlement negotiations (.2); reviewed I. Scharf's draft correspondence to the Committee re Interstate negotiations (.1); analysis re settlement issues with Interstate (.2) correspondence with J. Bair re same (.1); brief review of draft timeline re abuse (.1); prepare for Committee meeting re potential Interstate settlement (.2); participate in Committee meeting re potential Interstate settlement (1.0);	1.90	\$1,330.00

6/20/2023	Timothy Burns	Reviewed mediator proposal result (.1); conference with J. Bair re same (.2); call with I. Scharf re same (.3); additional conference with J. Bair re same and next-steps (.2); participate in call with state court counsel re same (.3); participate in insurance strategy development session with J. Bair re same (.7); participate in call with I. Scharf re same (.3); participate in call with state court counsel re same (.2);	2.30	\$1,610.00
6/20/2023	Jesse Bair	Review mediator proposal result (.1); participate in conference with T. Burns re same (.2);	0.30	\$187.50
6/20/2023	Jesse Bair	Analysis re insurance demand letter issues and related strategy (.5); correspondence with T. Burns re same (.1);	0.60	\$375.00
6/20/2023	Jesse Bair	Participate in additional conference with T. Burns re mediator proposal outcome and next-steps re insurance strategy (.2); participate in call with state court counsel re same (.3);	0.50	\$312.50
6/20/2023	Jesse Bair	Participate in detailed, supplemental strategy development session with T. Burns re going forward insurance strategy and upcoming CNA mediation (.7); participate in call with I. Scharf and T. Burns re same (.3); participate in call with state court counsel and T. Burns re same (.2);	1.20	\$750.00
6/21/2023	Timothy Burns	Prepare for call with I. Scharf and state court counsel re Interstate developments (.4); participate in call with I. Scharf, J. Bair, and certain state court counsel re same (.6); participate in conference with J. Bair re post-confirmation trust issues (.4); reviewed and revised PowerPoint for state court counsel meeting re going-forward insurance strategy (.8); participate in state court counsel meeting re same (.7);	2.90	\$2,030.00
6/21/2023	Nathan Kuenzi	Revise and update CNA demand letters (1.0);	1.00	\$420.00
6/21/2023	Jesse Bair	Draft PowerPoint presentation re going-forward insurance strategy for use during upcoming state court counsel meeting (.7);	0.70	\$437.50
6/21/2023	Jesse Bair	Participate in call with I. Scharf, T. Burns, and certain state court counsel re going-forward insurance strategy (.6); participate in follow-up conference with T. Burns re post-confirmation trust issues (.4);	1.00	\$625.00
6/21/2023	Jesse Bair	Participate in state court counsel meeting re going-forward insurance strategy and next-steps re same (.7);	0.70	\$437.50
6/21/2023	Jesse Bair	Correspondence with N. Kuenzi re CNA demand letter project (.1);	0.10	\$62.50
6/22/2023	Jesse Bair	Participate in conference with T. Burns re CNA demand letters (.1);	0.10	\$62.50
6/22/2023	Jesse Bair	Draft correspondence to each applicable state court counsel group re draft CNA demand letters (.9);	0.90	\$562.50

6/22/2023 Jesse Bair	Prepare for call with certain state court counsel re CNA demand issues (.2); participate in call with additional state court counsel re same (.3); follow-up correspondence with state court counsel re CNA exposure (.1);	0.60	\$375.00
6/22/2023 Jesse Bair	Conference with T. Burns re upcoming Committee meeting (.1); participate in Committee meeting re case insurance strategy (.6); participate in post-call with T. Burns re next steps re insurance (.2);	0.90	\$562.50
6/22/2023 Jesse Bair	Correspondence with I. Scharf re CNA demand letters and Interstate status (.1);	0.10	\$62.50
6/22/2023 Nathan Kuenzi	Continue revising and updating CNA demand letters (1.6);	1.60	\$672.00
6/22/2023 Nathan Kuenzi	Review J. Bair correspondence re CNA demand letter project (.1);	0.10	\$42.00
6/22/2023 Timothy Burns	Participate in conference with J. Bair re CNA demand letters (.1); review correspondence from I. Scharf re Interstate developments (.1); review correspondence with J. Bair and I. Scharf re insurance demands (.1); review correspondence re committee meeting re Interstate issues (.2); reviewed draft insurance demands (.2); reviewed correspondence from state court counsel re insurance demands (.2); reviewed correspondence from J. Bair to I. Scharf re insurance demands issues (.1); prepare for Committee meeting re case insurance issues (.7); conference with J. Bair re same (.1); participate in Committee meeting re Interstate and CNA insurance strategy (.6); participate in post-call with J. Bair re insurance next steps (.2);	2.60	\$1,820.00
6/23/2023 Timothy Burns	Consideration of stay issues surrounding demand letters (.3); participate in conference with J. Bair re same (.1); reviewed and responded to correspondence from state court counsel re insurance demand letters (.1); correspondence with PSZJ re upcoming mediator meeting (.1); participate in call with certain state court counsel re same (.1); conference with J. Bair re same (.1); participate in portion of meeting with the mediators re ongoing insurance issues (.2); participate in call with Debtor's counsel re insurance (.1); post-call with J. Bair re outcome of same (.1);	1.20	\$840.00
6/23/2023 Jesse Bair	Participate in conference with T. Burns re insurance demand issues (.1); additional analysis re same (.1); participate in call with certain state court counsel re same (.2);	0.40	\$250.00
6/23/2023 Jesse Bair	Participate in conference with the mediators and state court counsel re mediation developments and next-steps (.5);	0.50	\$312.50
6/23/2023 Jesse Bair	Participate in call with the Diocese and T. Burns re case insurance issues (.1); participate in post-call with T. Burns re same (.1);	0.20	\$125.00
6/23/2023 Jesse Bair	Correspondence with I. Scharf re mediation developments and insurance demand letters (.1);	0.10	\$62.50

6/26/2023 Jesse Bair	Participate in conference with T. Burns re insurance next-steps(.1);	0.10	\$62.50
6/26/2023 Jesse Bair	Review correspondence with I. Scharf re mediation developments (.1);	0.10	\$62.50
6/26/2023 Timothy Burns	Participate in conference with J. Bair re insurance next-steps(.1);	0.10	\$70.00
6/27/2023 Jesse Bair	Correspondence with each state court counsel group re finalization of CNA demand letters (.5); correspondence with I. Scharf re same (.1); participate in call with state court counsel re same (.1);	0.70	\$437.50
6/27/2023 Timothy Burns	Review correspondence with J. Bair and I. Scharf re insurance demand letter project (.2); correspondence with I. Scharf re Interstate mediation (.1);	0.30	\$210.00
6/28/2023 Jesse Bair	Review and respond to correspondence with state court counsel re CNA demand letter issues (.2);	0.20	\$125.00
6/28/2023 Jesse Bair	Participate in call with I. Scharf and T. Burns re mediation developments and insurance demand letters (.1);	0.10	\$62.50
6/29/2023 Jesse Bair	Participate in call with certain state court counsel re mediation updates and insurance demand letters (.2); participate in call with additional state court counsel re CNA demand letters (.1);	0.30	\$187.50
6/29/2023 Jesse Bair	Review final version of CNA demand letters (.2);	0.20	\$125.00
6/29/2023 Timothy Burns	Review correspondence with BB and state court counsel re demand letters (.2); review correspondence with I. Scharf, state court counsel, and the Committee re mediation developments (.1); review final version of CNA demand letters (.1);	0.40	\$280.00
6/30/2023 Brian Cawley	Draft interstate insurance demand letters (5.4);	5.40	\$2,268.00
6/30/2023 Timothy Burns	Review correspondence with BB team re Interstate demand letters (.2); review correspondence and spreadsheet from I. Scharf re same (.1);	0.30	\$210.00
6/30/2023 Timothy Burns	Participate in conference with J. Bair re insurance demand letters (.1);	0.10	\$70.00
6/30/2023 Alyssa Turgeon	Assist in drafting Interstate demand letters (.5);	0.50	\$180.00
6/30/2023 Jesse Bair	Analysis of claims and coverage exposure in connection with potential Interstate demands (.6); correspondence with I. Scharf re same (.1);	0.70	\$437.50
6/30/2023 Jesse Bair	Provide instructions to BB team re preparing Interstate demand letters (.3); answer follow-up questions from team re same (.3);	0.60	\$375.00
6/30/2023 Jesse Bair	Review revised version of particular CNA demand letters (.1); participate in conference with T. Burns re same and additional demand letter issues (.1); correspondence with state court counsel re CNA demand letter issues (.1);	0.30	\$187.50
6/30/2023 Katie Sticklen	Draft sub-set of Interstate demand letters (2.0);	2.00	\$756.00
6/30/2023 Leakhena Au	Draft Interstate demand letters (6.1);	6.10	\$2,562.00
6/30/2023 Nathan Kuenzi	Draft final set of Interstate demand letters (4.0);	4.00	\$1,680.00

**Total Hours and Fees**
**83.70 \$46,147.50**

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## EXPENSES

<u>Date</u>	<u>Description</u>	<u>Amount</u>
6/8/2023	CloudNine, database monthly hosting fee (May 2023)	\$46.97
6/13/2023	Hotel, T. Burns (2 nights)	\$1,100.00
6/13/2023	Travel meal, T. Burns	\$3.49
6/13/2023	Delta Airlines, T. Burns (MSN-LGA June 13)	\$579.00
6/14/2023	Travel meal, T. Burns	\$7.39
6/15/2023	Travel meal, T. Burns	\$33.04
6/15/2023	United Airlines, T. Burns (EWR-MSN June 15)	\$449.00
6/15/2023	Uber, T. Burns (hotel to airport)	\$133.79
<b>Total Expenses</b>		<b>\$2,352.68</b>

## Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Alyssa Turgeon	0.50	\$360.00	\$180.00
Brian Cawley	5.40	\$420.00	\$2,268.00
Jesse Bair	25.50	\$625.00	\$15,937.50
Katie Sticklen	2.00	\$378.00	\$756.00
Leakhena Au	6.10	\$420.00	\$2,562.00
Nathan Kuenzi	6.70	\$420.00	\$2,814.00
Timothy Burns	13.20	\$350.00	\$4,620.00
Timothy Burns	24.30	\$700.00	\$17,010.00

**Total Due This Invoice: \$48,500.18**